

MEMORANDUM OF UNDERSTANDING

THE SNOQUALMIE INDIAN TRIBE AND KING COUNTY

These Procedural Guidelines for Issue Consideration (hereinafter referred to as "the Guidelines") are entered into by and between the Snoqualmie Indian Tribe (hereinafter referred to as "the Tribe") and the King County Executive (hereinafter referred to as "the County").

The Snoqualmie Tribe is a federally recognized Indian tribe with an initial Reservation (hereinafter referred to as "the Reservation") in King County, Washington. The Tribe has an interest in preserving the public health, safety and welfare, economic welfare and resource management needs and interests of its tribal members and the Reservation itself; and

The Tribe holds certain federally guaranteed rights under the Treaty of Point Elliott (12 Stat. 927) 1855.; including fishing, hunting, and gathering rights; and

The County is a First Class Home-rule Charter County that operates pursuant to the Constitution of the State of Washington, and has an interest in preserving the public health, safety and welfare, economic welfare and resource management needs and interests of its residents and the County itself; and

The Reservation boundaries include property that is located within unincorporated King County and the exercise of the Tribe's treaty rights occurs within King County; and

The County and the Tribe have a common interest in seeing that actions undertaken by either party are reasonable, do not promote undue social, economic, or environmental harm to the Tribe or the County, and do not interfere with the legitimate authorities, governmental policies, and appropriate regulatory responsibilities of either party; and

The County and the Tribe acknowledge that success in achieving their respective responsibilities, goals, and interests may be significantly affected by the actions of the other, and that it is in the interest of both parties to establish procedural guidelines that facilitate greater communication and cooperation between the parties, and provide methods for reaching resolution on various issues; and

The County and the Tribe desire to establish a good faith government-to-government relationship that will facilitate communication and cooperation on a wide variety of issues.

Toward these ends, the County and the Tribe will use reasonable efforts to proceed under the following protocols:

Section 1 Goals and Objectives

The County and the Tribe desire to create a set of procedural guidelines including, as indicated, regularly scheduled meetings of representatives of both parties that shall be used to:

- 1.1 Discuss issues, concerns, policies, priorities; actions and initiatives which may affect and/or be of interest to both parties;
- 1.2 Develop a government-to-government relationship that is based on consistent contact, constructive dialogue, and problem solving;
- Promote cooperation with regard to projects, studies, development, and resource management/protection efforts that are of mutual interest and benefit;
- 1.4 Seek agreements that promote stability, certainty and long-term cooperation; and
- 1.5 Develop and use appropriate dispute resolution mechanisms.

Section 2 Provisions of Policy Committee

2.1 Formation of Policy Committee

The County and the Tribe agree that a policy committee is an appropriate forum to discuss their respective issues and to attempt to seek agreements related to such issues.

2.2 Organization of Policy Committee

The Policy Committee shall consist of the Tribal Council Chair, or designee, and one additional member of the Tribal Council, or designee, and the King County Executive, or designee. The Chair of the King County Council, or another member of the King County Council selected by the Chair, will also be invited, but is not obligated, to participate on the Policy Committee. The Tribe and the County delegations to the Policy Committee shall each have one vote on matters concerning these Guidelines. It is the intent of the parties that the Policy Committee is given wide flexibility in the procedures and the manner in which the matters before the Policy Committee are handled. It is the intent of the Tribe and the County to attempt to achieve consensus on issues raised by the committee.

2.3 Meetings of Policy Committee

The Policy Committee shall meet and confer on a quarterly basis during a calendar year unless otherwise agreed by the Policy Committee and be co-chaired by one of the authorized representatives from both the Tribe and the County. The co-chairs, with assistance from their staffs, will be responsible for setting meeting dates, agendas, and the distribution of materials as may be required for meeting purposes. Meetings of the Policy Committee will take place at a mutually agreed upon location. At least two authorized representatives of each party must be present for Policy Committee action to be valid. Written summaries of each meeting shall be taken, and reviewed by the Tribe and the County for any corrections. Additional meetings may be called at the discretion of the co-chairs, the mutual agreement of both being required before scheduling of any such

additional meetings occurs. The Tribe and the County may have staff or other designated persons also attend the meetings to provide assistance to the Policy Committee, but such persons shall not be considered part of the Policy Committee for decision making purposes.

2.4 Scope of Issues for Policy Committee

The scope of the issues that may be brought before the Policy Committee for consideration will be matters of interest to the Tribe and/or the County and may include, but are not limited to, matters such as environmental protection, fire and emergency medical services, fisheries/habitat protection, land use planning and regulation, development activities within the Reservation and adjacent unincorporated King County, police and judicial services, utilities matters, and traffic and transportation.

2.5 Selection of Issues/Process for Discussion

Either the Tribe or the County may propose an issue for consideration by the Policy Committee. Issues proposed should be provided to the co-chairs for purposes of scheduling, discussion and agenda action. If more than one issue is proposed for consideration, the Policy Committee shall discuss the order and/or priority in which the proposed issues should be considered. Both parties must agree to accept a proposed issue for consideration by the Policy Committee.

2.6 Decision making by Policy Committee

Decisions made by the Policy Committee must be reached on a consensus basis: consistent with the one-vote-per-party requirement set forth in § 2.2 of these Guidelines. To advance this decision making process, Policy Committee meetings may be facilitated by a qualified, neutral individual who is jointly selected, equally paid by, and agreed to by both parties. If a facilitator is so retained, such action shall be by determination of the Policy Committee.

2.7 Formation of Technical Committees

If an issue is selected for consideration by the Policy Committee and the Policy Committee decides it requires further information, technical study, and/or analysis, the Policy Committee may form a Technical Committee to provide appropriate technical support, policy recommendations, and/or other assistance as may be deemed necessary or appropriate by the Policy Committee.

2.8 Procedures for Technical Committees

- 2.8.1 The Policy Committee co-chairs may designate Technical Committee members including appropriate staff, consultants, or others, to participate in a Technical Committee for the purpose of providing further information, technical study, and/or analysis pertaining to an issue selected for consideration by the Policy Committee. A Technical Committee shall include at least one Policy Committee member from both the Tribe and the County. The Tribe and the County shall have equal representation on a Technical Committee. Unless otherwise agreed, Technical Committees shall be chaired or co-chaired by Policy Committee members assigned to participate in the Technical Committees.
- 2.8.2 Once approved and assigned to a task or study effort, the Technical Committee shall develop a work plan, schedule, and cost sharing formula, which shall be reviewed and approved by the Policy Committee. The work plan shall focus upon gathering information, performing background research, technical studies, and/or otherwise developing the factual basis necessary for continuing discussion on the issue designated. The work plan shall direct the study, data collection, analytical and other relevant tasks appropriate to the issue. The Technical Committee may be required to prepare a report, or other documents, which may contain findings and recommendations, for submission to and consideration by the Policy Committee.

2.9 Review of Proposed Agreements

At the request of the Policy Committee, draft agreements concerning specific issues developed by a Technical Committee may be submitted to the Policy Committee for its consideration. The Policy Committee shall have ninety (90) days to review and discuss a proposed agreement from the date the Technical Committee submits a proposed agreement for consideration. If the Policy Committee reaches consensus on a draft agreement, the draft agreement shall be submitted in appropriate form to the Snoqualmie Tribal Council and the King County Council for their consideration. If the ninety day review period expires or certain issues within a draft agreement are identified by the Policy Committee as matters preventing the Policy Committee from reaching consensus, the draft agreement and the unresolved issues may be submitted in appropriate form to the Snoqualmie Tribal Council and the King County Council for their consideration. Pending formal legislative action and adoption by the Snoqualmie Tribal Council and the King County Council, any agreements on specific issues, and/or draft agreements developed by the Policy Committee are advisory only, are nonbinding upon the parties, and shall have no legal force and effect.

Section 3 Dispute Resolution

The Tribe and the County intend than these Guidelines and any draft agreements reached concerning specific issues should be subject to the establishment of effective dispute resolution methods.

3.1 Guidelines

In the event an issue or dispute arises between the parties concerning these Guidelines, the parties shall make a good faith effort to resolve any conflict, or controversy by employing the Policy Committee for discussion of the matter. In the event the Policy Committee is unable to resolve the dispute within ninety (90) days, either party may request mediation. Mediation shall be commenced by the party requesting it notifying the other party of its request for mediation. The

parties shall mutually agree on the mediator to carry out the mediation. Mediation shall continue for no more than one hundred and twenty (120) days at which point the mediation shall be deemed failed, unless the parties agree to extend the time or the parties have reached an agreement and have had such agreement approved by appropriate formal legislative action and adoption by the Snoqualmie Tribal Council and the King County Council. Each party shall bear its own costs of mediation.

3.2 Issue Specific Agreements

Any draft agreement reached by the parties concerning a specific issue should contain effective dispute resolution measures. At a minimum, all such specific agreements should contain provisions for the mediation of disputes.

Section 4 Miscellaneous Provisions

4.1 Amendments to these Guidelines

The provisions of these Guidelines may be modified or amended upon the mutual written agreement of the parties.

4.2 Notices

Any notices relating to these Guidelines shall be by first class mail, postage prepaid, to the following:

For the County:

Ron Sims King County Executive King County Courthouse 516 Third Avenue, Room 400 Seattle, WA 98104-3271 For the Snoqualmie Indian Tribe:

Bill Sweet, Chairman, Snoqualmie Indian Tribe 8130 Railroad Avenue #103 PO Box 969 Snoqualmie, WA 98065

4.3 Termination of Guidelines

Either party may decline to participate in the processes and procedures set forth within these Guidelines at any time. As a matter of courtesy, any party declining further participation should attempt to provide the other party with one hundred and eighty (180) days written notice of that decision.

4.4 Initiation Date

These Guidelines will be initiated upon joint signature by authorized representatives of the Tribe and the County.

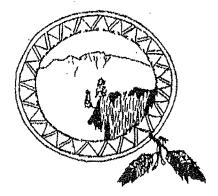
4.5 No Legally Binding Force or Effect

It is expressly understood and agreed by the Tribe and the County that the parties do not intend that these guidelines create any legally binding or enforceable obligation on the part of either party, either with respect to these Guidelines themselves or any issues that may be considered hereunder, and further, that nothing stated herein shall be construed as an admission against interest on the part of either party.

DATED this & day of DECEMBER,

King County Executive

Chairman, Snoqualmie Indian Tribe



SNOQUALMIE TRIBE

P.O. Box 280 4480 Tolt Ave. Carnation, WA 98014 Phone: 425-333-6551

Fax: 425-333-6727

E-Mail: Snoqualmie1855@snoqualmienation.com

RESOLUTION # /2 2006

WHEREAS, the Snoqualmie Indian Tribe is the Sovereign Entity recognized as a signatory Tribe to the Point Elliott Treaty of 1855; and

WHEREAS, the Snoqualmie Tribal Council is the governing body of the Snoqualmie Indian Tribe by authority of its Constitution; and

WHEREAS, the Snoqualmie Tribal Council is the duly elected council of the General Membership and is responsible for the protection of the health, safety and general welfare of the Snoqualmie people; and

WHEREAS, the Snoqualmie Tribal Council recommends entering into an intergovernmental agreement with the King County Government; and,

WHEREAS, the tribal council has reviewed and accepts the proposed memorandum of understanding,

NOW, THEREFORE, BE IT RESOLVED that the Tribal Council does hereby authorize the tribal chairman or tribal administrator to execute an agreement in substantially the same form as presented this evening.

CERTIFICATION

Voted on this 16 day of November, 2005 with a quorum present and voting for 7,

Against______, Abstaining_

Bill Sweet, Tribal Chairman

Arlene Ventura, Tribal Secretary.



Tribal Chairman: Bill T. Sweet, Vice-Chairman: Mary Anne Hinzman, Secretary: Arlene Ventura, Treasurer: Margaret A. Mullen, Lifetime Council: Katherine Barker, Council: Ray Mullen, Elsie Erickson, Frances K. De Los Angeles, Nina Repin, Vyonda Juanita Rose Sub Chief: Nathan (Pat) Barker, Chief: Jerry Enick. Alternates: Shelley Burch, Robert Hinzman.